

AMENDED IN ASSEMBLY JUNE 24, 2014

AMENDED IN ASSEMBLY JUNE 2, 2014

AMENDED IN ASSEMBLY MAY 12, 2014

AMENDED IN SENATE MAY 7, 2013

AMENDED IN SENATE APRIL 25, 2013

SENATE BILL

No. 384

Introduced by Senators Gaines and DeSaulnier

February 20, 2013

An act to amend ~~Section~~ *Sections 70010.5 and 70011* of the Education Code, relating to scholarships, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 384, as amended, Gaines. California Memorial Scholarship Program.

Existing law establishes the California Memorial Scholarship Program, administered by the Scholarshare Investment Board and funded by the California Memorial Scholarship Fund. *Existing law also establishes the Antiterrorism Fund for purposes that include funding antiterrorism activities.* Existing law states that the purpose of the program is to provide scholarships for surviving dependents of California residents killed as a result of injuries sustained during the terrorist attacks of September 11, 2001. Existing law further provides that these scholarships shall be used to defray the costs incurred by participants in the program at institutions of higher education.

Existing law requires the California Victim Compensation and Government Claims Board to identify all persons who are eligible for

scholarships under the program and to notify them of their eligibility no later than July 1, 2003. Existing law requires eligible persons to inform the Scholarshare Investment Board in a timely manner of their decision on whether to participate in the program and requires eligible persons who are to become participants in the program to execute agreements no later than July 1, 2005. *Existing law requires an agreement to specify that any moneys remaining in an account after the 30th birthday of the participant, or not later than July 1, 2015, whichever occurs last, shall revert to the Antiterrorism Fund.*

This bill would instead require the California Victim Compensation and Government Claims Board to identify, and confirm by documentation, all persons who are eligible for scholarships under the program by use of various methods, including, among others, media outreach and communication with the Special Master of the federal September 11th Victim Compensation Fund, and, after creating a new list of eligible persons, to notify those persons of their eligibility by no later than July 1, 2015. The bill would require the Scholarshare Investment Board to service these scholarships only for individuals determined to be eligible by the—~~Victims~~ *California Victim Compensation and Government Claims Board*. The bill would ~~also~~ require ~~that~~ eligible persons who are to become participants in the program *to execute participation agreements no later than July 1, 2016, and would require those agreements to revert the moneys remaining in a participant's account to the Antiterrorism Fund after the 30th birthday of the participant, or not later than July 1, 2026, whichever occurs last.*

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 70010.5 of the Education Code is
- 2 amended to read:
- 3 70010.5. (a) The California Victim Compensation and
- 4 Government Claims Board shall identify, and confirm by
- 5 documentation, all persons who are eligible for scholarships under
- 6 the program. The California Victim Compensation and Government
- 7 Claims Board shall use various methods to identify those persons,
- 8 including, but not limited to, all of the following:

1 (1) Media outreach, including, but not limited to, social media,
2 that explains the details of the program, who is eligible for
3 scholarships under the program, and how to sign up for further
4 notifications regarding the program.

5 (2) Written notification to persons, or in the case of minors,
6 their parents or guardians, who have already been identified as
7 eligible for scholarships under the program, and their known family
8 members. The notification shall explain that the program has been
9 reopened, and that the California Victim Compensation and
10 Government Claims Board is seeking information regarding other
11 persons who may be eligible for the program, and shall provide
12 instructions on how to sign up for further notifications regarding
13 the program.

14 (3) Communication with the Special Master of the federal
15 September 11th Victim Compensation Fund to determine if
16 additional victims who were California residents have been
17 identified.

18 (b) After creating a new list of eligible persons for the program,
19 the California Victim Compensation and Government Claims
20 Board shall notify these persons or, in the case of minors, the
21 parents or guardians of these persons, of their eligibility for
22 scholarships under the program.

23 (1) The notification shall be in writing.

24 (2) The notification shall provide details on the program and
25 how to apply for scholarships under the program.

26 (3) The notification shall be received by all of the appropriate
27 persons no later than July 1, 2015.

28 (c) The Scholarshare Investment Board shall service scholarships
29 pursuant to this article only for individuals determined to be eligible
30 by the ~~Vietims~~ *California Victim Compensation and Government*
31 *Claims Board*.

32 (d) Eligible persons, or in the case of minors, the parents or
33 guardians of these persons, shall inform the Scholarshare
34 Investment Board of their decision on whether to participate in the
35 program in a timely manner. Eligible persons, or in the case of
36 minors, the parents or guardians of these persons, who are to
37 become participants in the program shall execute agreements
38 pursuant to Section 70011 no later than July 1, 2016.

39 *SEC. 2. Section 70011 of the Education Code is amended to*
40 *read:*

1 70011. (a) The board may enter into agreements with
2 participants or with persons entitled to act on behalf of participants.

3 (b) An agreement shall specify that any moneys remaining in
4 an account after the 30th birthday of the participant, or not later
5 than July 1, ~~2015~~, 2026, whichever occurs last, shall revert to the
6 Antiterrorism Fund established under paragraph (1) of subdivision
7 (c) of Section 5066 of the Vehicle Code. The agreements may also
8 include, but need not be limited to, the terms and subject matter
9 set forth in Section 69983.

10 ~~SEC. 2.~~

11 *SEC. 3.* This act is an urgency statute necessary for the
12 immediate preservation of the public peace, health, or safety within
13 the meaning of Article IV of the Constitution and shall go into
14 immediate effect. The facts constituting the necessity are:

15 Because many eligible persons are not currently receiving
16 scholarships under the program, and because of the higher
17 education expenses, prospective or ongoing, of the dependents of
18 California residents who were killed as a result of injuries sustained
19 during the terrorist attacks of September 11, 2001, it is necessary
20 that this act take effect immediately.